

**R.G.M. AND ASSOCIATES**  
3230 Monument Way, Concord, CA 94518  
(925) 671-7717 FAX (925) 671-7788  
CSL # 509513



## LETTER OF TRANSMITTAL

ATTENTION: <b>LCP Special Assistant</b>	DATE: <b>March 31, 2010</b> JOB NO:
TO: <b>Office of the Director Department of Industrial Relations 455 Golden Gate Avenue, 10th Floor San Francisco, CA 94102 (415) 703-5063</b>	RE: <b>Annual Report – LCP El Dorado Union High School District</b>

WE ARE SENDING YOU VIA **FED EX** the following items:

- ☐ Shop drawings      ☐ Prints      ☐ Samples      ☐ Specifications  
☐ Copy of letters      ☐ Change order      ☒ **Other = ANNUAL REPORT**

COPIES	DATE	NUMBER OF PAGES	DESCRIPTION
1			El Dorado Union High School District 2009 Annual Report

THESE ARE TRANSMITTED as checked below:

- ☐ For approval      ☐ Approved as submitted      ☐ Resubmit \_\_\_ copies for approval  
☐ For your information      ☐ Approved as noted      ☐ Submit \_\_\_ copies for distribution  
☒ **As requested**      ☐ Returned for corrections      ☐ Return \_\_\_ copies for distribution  
☐ For review and comment      ☐ \_\_\_\_\_

REMARKS:

To Whom It May Concern:

Enclosed please find the 2009 Annual Report submitted on behalf of the El Dorado Union High School District.

Thank you,

Susan Matsumoto  
Labor Compliance Manager

COPY TO: File

SIGNED:

If enclosures are not as noted, kindly notify us at once.



## LABOR COMPLIANCE PROGRAM ANNUAL REPORT

Reporting Period 2/1/09 to 1/31/10

1. Name of Labor Compliance Program (LCP): El Dorado Union High School District - District LCP

El Dorado Union High School District has elected to enforce a District Wide LCP.

RGM and Associates is a Third Party Labor Compliance Program Provider administering the El Dorado Union High School District's LCP.

2. LCP I.D. Number (assigned by DIR): 2003.00369

3. Date of Initial Approval: February 5, 2004

4. Contact person (include name, title, address, telephone, fax, and e-mail, if available):

Ralph J. Caputo, President, CEO, RGM and Associates, 3230 Monument Way, Concord, California 94518

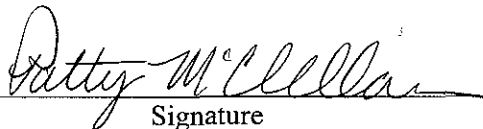
Phone = (925) 671-7717 - FAX = (925) 671-7788 - E-mail = [rgm@rgmassociates.com](mailto:rgm@rgmassociates.com)

5. List all Awarding Bodies covered by this report as well as any other Awarding Bodies with whom the LCP currently has a contract to provide compliance enforcement. If *none*, please proceed directly to item 7 and provide all requested information. Then complete the information below, and sign and submit this form to DIR, Office of the Director; Attn: LCP Special Assistant, 455 Golden Gate Avenue, 10<sup>th</sup> Floor, San Francisco, CA 94102.

El Dorado Union High School District LCP does not provide compliance enforcement for any other Awarding Bodies.

What suggestions do you have for the Department of Industrial Relations to better assist you with your program in the coming year? (attach additional sheets if necessary):

SUBMITTED BY:

  
Signature

**Patty Mc Clellan – Facilities Director**

**January 31, 2010**

6. LC § 1771.5 enforcement activities (provide all information requested, attaching as many sheets as necessary, and *please complete separate forms for each Awarding Body covered in this report*).

Awarding Body: El Dorado Union High School District

A. List projects handled by LCP within the past 12 months.

Project Name	Bid Advertisement Date	Prime Contractor	Contract Amount
Oak Ridge High School 2007 Mod Phase 1C plus Additions, Lockers & Toilets, Painting	2/12/08	Carter Kelly	\$ 9,554,329.00 \$ 2,801,165.00
Oak Ridge High School 2007 Mod Phase 1D	6/23/09-Lease/Leaseback	Carter Kelly	\$ 507,848.00
El Dorado High School Culinary Arts	4/28/09 - Lease/Leaseback	Carter Kelly	\$ 1,929,990.00
Shenandoah High School Cosmetology Bldg	6/23/09-Lease/Leaseback	Carter Kelly	\$ 1,287,813.00
El Dorado High School Athletic Facility	3/4/09	Carter Kelly	\$ 798,211.00
Oak Ridge High School Athletic Facility	5/12/09 -	Carter Kelly	\$ 1,565,152.00
Union Mine High School Athletic Facility	5/1/09 - Lease/Leaseback	Roebbelen	\$ 2,542,694.00
Ponderosa High School Athletic Facility	5/1/09 - Lease/Leaseback	Roebbelen	\$ 2,736,232.00
Door Lock Replacement – All Schools	1/14/09	Wayne's Locksmith	\$ 479,974.74
Gym Floor Refinishing – All Schools	5/18/09	Merit Floor Care	\$ 19,490.00
Independence High School Re-Roof and HVAC	6/19/09	HBH Construction	\$ 222,307.00
Ponderosa High School Re-Roof and HVAC	5/1/09	HBH Construction	\$ 429,000.00
Union Mine High School Pool Boiler Replacement	8/3/09	Division 5-15	\$ 92,800.00
Ponderosa High School Pool	12/7/09	Golden State Construction	\$ 59,600.00
El Dorado High School Roof Replacement	4/20/09	Madsen Roof Co.	\$ 59,589.00
<b>Total</b>			<b>\$ 25,086,194.74</b>

**B. Summary of all wages and penalties assessed and/or recovered.**

Project Name	Affected Contractor (worker's employer)	Amount Assessed	Amount Recovered	Forfeiture Approval Requested from Labor Commissioner?	Description of Violation
El Dorado HS Athletic Facility	Mike Wallace Masonry	\$ 61.43	\$ 61.43	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Failure to pay correct prevailing wage
Oak Ridge HS Mod. Phase 1C	Superior Cabinet	\$ 1,324.00	\$ 1,324.00	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Misclassification of workers
Oak Ridge HS Mod. Phase 1C	King's Roofing	\$ 1,240.63	\$ 1,240.63	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Misclassification of workers
Oak Ridge HS Mod. Phase 1C	TPA Painting	\$ 635.00	\$ 635.00	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Missed OT on designated day off
El Dorado HS Culinary Facility	BEE Pest Control	\$ 1.80	\$ 1.80	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Missed prevailing wage increase.
Ponderosa HS Athletic Facility	Hemcor Landscape	\$ 84.78	\$ 84.78	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Misclassification of worker
<b>Total</b>		<b>\$ 3,347.64</b>	<b>\$ 3,347.64</b>		

**C. For any amount identified in item B for which approval of forfeiture was not requested from the Labor Commissioner, please explain below.**

Project Name	Amount Assessed	Amount Recovered	Explanation
El Dorado HS Athletic Facility	\$ 61.43	\$ 61.43	Not willful violation - Cured within 10 day time frame per LC §1776(g)
Oak Ridge HS Mod. Phase 1C	\$ 1,324.00	\$ 1,324.00	Not willful violation - Cured within 10 day time frame per LC §1776(g)
Oak Ridge HS Mod. Phase 1C	\$ 1,240.63	\$ 1,240.63	Not willful violation - Cured within 10 day time frame per LC §1776(g)
Oak Ridge HS Mod. Phase 1C	\$ 635.00	\$ 635.00	Not willful violation - Cured within 10 day time frame per LC §1776(g)
El Dorado HS Culinary Facility	\$ 1.80	\$ 1.80	Not willful violation - Cured within 10 day time frame per LC §1776(g)
Ponderosa HS Athletic Facility	\$ 84.78	\$ 84.78	Not willful violation - Cured within 10 day time frame per LC §1776(g)
<b>Total</b>	<b>\$ 3,347.64</b>	<b>\$ 3,347.64</b>	

**D.** For any amount identified in item B for which approval of forfeiture was requested from the Labor Commissioner, please provide the following:

Project Name	Amount Assessed					Amount Recovered				
	LC §1776(g)	LC § 1775	LC § 1813	Wages	Total	LC §1776(g)	LC § 1775	LC § 1813	Wages	Total
N/A										
Total										

**E.** Identify cases that are or were the subject of LC § 1742 proceedings.

Project Name	Contractor	Nature of Violation	ODL Case #	Current Status
N/A				
Total				

**F.** Did you refer any contractor to the Labor Commissioner for debarment per LC § 1777.1?

Please check one:

☐

YES

☒

NO

If yes, identify affected contractor(s) or subcontractor(s) and date(s) of referral: \_\_\_\_\_

**G.** Did you refer any apprenticeship violation to the Division of Apprenticeship Standards (DAS)?

Please check one:

☐

YES

☒

NO

If yes, identify affected contractor(s) or subcontractor(s) and date(s) of referral: -- \_\_\_\_\_

## 9. Summary of Monitoring Activities – El Dorado Union High School District

A total of one hundred sixty three (163) contractors were monitored for the El Dorado Union High School District. Communications with contractors included on-going support and assistance to help facilitate compliance with the Labor Compliance Program.

Job-site interviews were routinely conducted to gather information from the workers to verify their names, classifications and rate of pay. The workers' statements were compared to the appropriate prevailing wage determinations as well as the certified payrolls received to ensure accuracy and verify any possible misclassifications or other payroll violations. In response to inquiries, workers were provided information and resources concerning prevailing wage laws and regulations on public works projects.

Throughout the monitoring activities for the period of February 1, 2009 through January 31, 2010, a total of 2,318 certified payrolls were received, reviewed and verified to be in compliance with the El Dorado County prevailing wage determination for the craft listed. During the course of these projects, a total of 1,120 site interviews were conducted.

All mandatory forms, i.e., DAS140, CAC2, and Fringe Benefit Statements, were filed as required. The license of every contractor was verified to be active per the State of California License Board.

Seven (10) ten-day notice letters were issued to contractors for verification of discovered inconsistencies which resulted in cures being achieved either by clarification or by re-calculations with wages due. Confirmation of cures was received and corroborated. A total of \$3,347.64 in wages was recovered for employees. There were no willful violations of the California State Labor Code.

Three (3) public entity requests were received and processed as required by the California Public Records Act and the California State Labor Code, Section 1776, and/or the Freedom of Information Act, 5 U.S.C., Section 552.